

PUBLIC PROSECUTOR

v

EPHRAIM BONGRAN

Date: 23 February 2022
Before: Justice V.M. Trief
Counsel: Public Prosecutor – Ms M. Taiki
Defendant – Mr. R. Willie

SENTENCE

A. Introduction

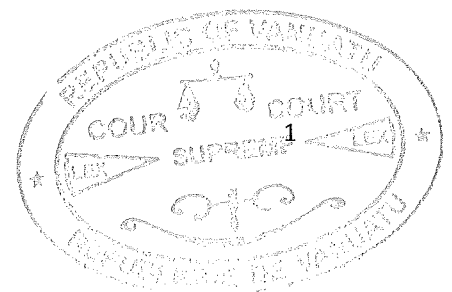
1. Mr Bongran pleaded guilty to one charge of possession of cannabis. He is convicted on his plea and the admitted facts.

B. Facts

2. On 23 November 2021, a Police officer was handed a carton that Mr Bongran had sent by boat for delivery to another person. The carton had inside it a pawpaw fruit and a package that contained what looked like marijuana.
3. When searched by the Police on 26 November 2021, Mr Bongran had 4 packages in his possession containing 50 grams of cannabis.


C. End Sentence

4. The maximum penalty for this offence is VT100 million fine or 20 years imprisonment or both.
5. There are no mitigating factors of the offending.



6. The offending is aggravated by Mr Bongran's deliberate concealment of the cannabis and intention to deliver it to others.
7. The offending is within the lower end of the scale of the first category in *Wetul v Public Prosecutor* [2013] VUCA 26.
8. Mr Bongran is 24 years old and has 3 young children. He makes his living from gardening. Mr Bongran has no previous convictions. He made full admissions to the Police and pleaded guilty at the first opportunity.
9. Mr Bongran has been in custody since 26 November 2021. That is almost 3 months served therefore an effective sentence of 6 months imprisonment. I consider that is sufficient time served for the purposes of punishment and deterrence of both him and any others who may hear of this sentence. Accordingly, Mr Bongran is to be immediately released. An order will issue to that effect.
10. The cannabis is to be destroyed.
11. Mr Bongran has 14 days to appeal this sentence.

**DATED at Luganville, Santo this 23rd day of February 2022
BY THE COURT**


Justice Viran Molisa Trief

